PATENT 1254-0259PUS1

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant:

Koichiro KAKU et al.

Conf.:

UNASSIGNED

Appl. No.:

10/509,121

Group:

UNASSIGNED

Filed:

September 28, 2004

Examiner: UNASSIGNED

For:

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INFORMATION DISCLOSURE STATEMENT (SUBMISSION AFTER FILING OF AN APPLICATION BUT BEFORE FINAL REJECTION OR NOTICE OF ALLOWANCE OR CONCURRENTLY WITH A RULE 1.114 RCE APPLICATION)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

January 28, 2005

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449(s), attached hereto.

II. COPIES (check at least one box)

- a. \boxtimes Copies of cited U.S. patents and patent application publications are not included. Copies of foreign patent documents and non-patent literature are included.
- b. Some or all of the documents listed on the PTO-1449 are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

DOCUMENTS IN THE ENGLISH LANGUAGE

The patents, publications, or other information listed on the attached PTO 1449 are in the English language and therefore, do not require a statement of relevancy.

b. DOCUMENTS NOT IN THE ENGLISH LANGUAGE

A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

An English language abstract is attached to WO 02/44385 A1.

An English language translation is attached to the publication entitled "The Pesticide Science Society of Japan, 2002 Annual Meeting, A summary of lectures".

c. MENGLISH LANGUAGE SEARCH REPORT

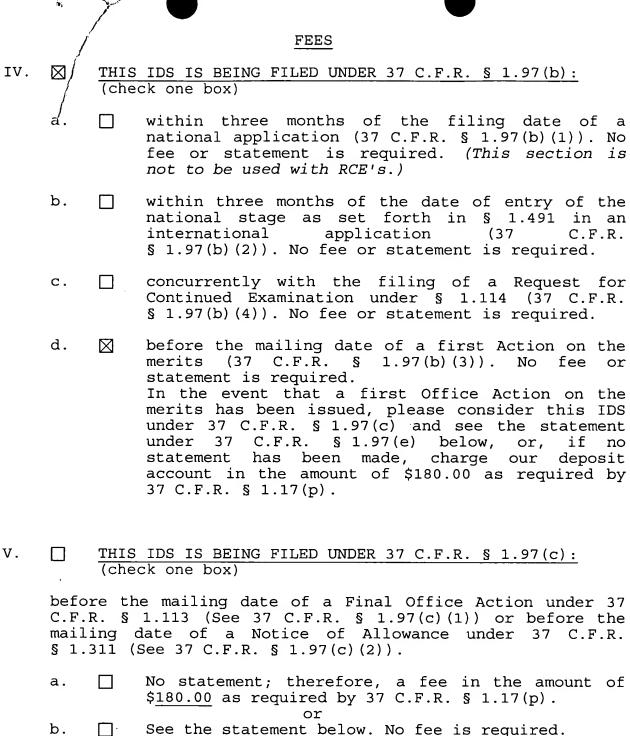
An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(III)(A)(3).

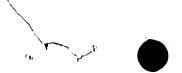
d. 🛛 OTHER

The following additional information is provided for the Examiner's consideration.

WO 02/44385 A1 is the equivalent of US2004/0088753 A1.

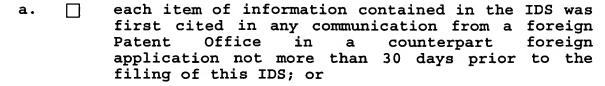
"The Pesticide Science Society of Japan, 2002 Annual Meeting, A summary of lectures" is cited in VIII-5-1 of the PCT Request.

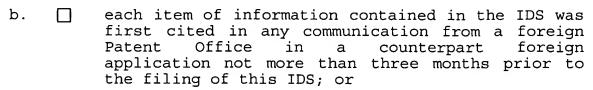




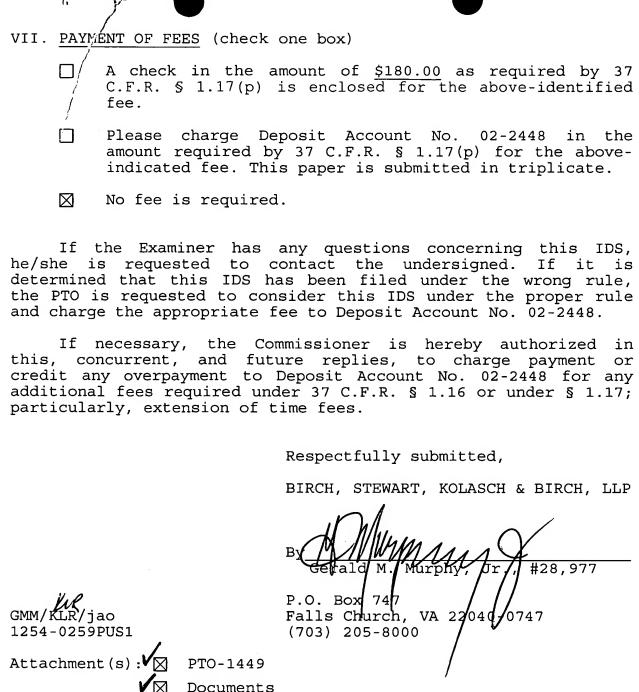
VI. STATEMENT UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby states that





- c. no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS.
- d. Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in counterpart foreign a application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.



(Rev. 11/08/04)

Foreign Search Report

Fee

Other:

Form PTO-1449 ATTY. DOCKET NO. APPLICATION NO. 1254-0259PUS1 10/509,121 APPLICANT INFORMATION DISCLOSURE CITATION Koichiro KAKU et al. IN AN APPLICATION (Use several sheets if necessary) FILING DATE September 28, 2004 UNKNOWN U.S. PATENT DOCUMENTS CLASS DOCUMENT NUMBER Kind DATE NAME SUB CLASS FILING DATE IF APPROPRIATE US US US US US US FOREIGN PATENT DOCUMENTS Office DOCUMENT Kind TRANSLATION DATE COUNTRY NUMBER YES NO 2001-11-15 WO 01/85970 A2 PCT WO 02/44385 A1 2002-06-06 PCT OTHER DOCUMENTS (Include Name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. Paul Bernasconi et al., The Journal of Biological Chemistry, 270(29):17381-17385 (July 21, 1995) George Mourad et al., Mol Gen Genet, 243:178-184 (1994) David Chipman et al., Biochimica et Biophysica Acta, 1385:401-419 (1998) Chom-Kyu Chong et al., Biochemical and Biophysical Research Communications, 259:136-140 (1999) Chom-Kyu Chong et al., Biochemical and Biophysical Research Communications, 279: 462-Kathleen Y. Lee et al., The EMBO Journal, 7(5):1241-1248 (1988) Koichiro Kaku et al., The Pesticide Science Society of Japan, 2002 Annual Meeting, A summary of lectures, pp. 1-2 Charlotte V. Eberlein et al., Weed Science, 45:212-217 (1997) Yu-Ting Lee et al., FEBS Letters, 452:341-345 (1999) EXAMINER DATE CONSIDERED EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.